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Letter dated 7 April 2014 from the Permanent Representative of the Republic of Azerbaijan to the United Nations Office at Geneva addressed to the President of the Human Rights Council

I would like to refer to the letter dated 14 March 2014 from the Permanent Representative of Armenia to the United Nations Office at Geneva addressed to the President of the Human Rights Council (A/HRC/25/G/15), the contents of which as such represent nothing more than yet more mere verbiage against a background of irrefutable facts that testify to the opposite.

The information contained in the above-mentioned letter of the representative of Armenia on the alleged violations of the ceasefire by the armed forces of Azerbaijan deserves particular attention. A number of apparent inaccuracies and even anecdotal inconsistencies, such as those pertaining to the targeting of Armenian settlements along the line of contact and their enviable "ability" to uniquely determine the exact number of firearm bullets allegedly shot by the adverse party, are obvious proof of falsification. The representative of Armenia is apparently confused, because there are no Armenian settlements close to the line of contact on the territories of Azerbaijan occupied by Armenian forces; there are, however, Azerbaijani civilians living in close vicinity to the line of contact who suffer daily from the ceasefire violations by Armenian units.

It should be noted that, while making selective and out-of-context references to the importance of the principle of the non-use of force, the Armenian side misinterprets this principle as having the purpose of freezing the military results of that country's illegal use of force against Azerbaijan. It is well known, however, that, in circumstances in which one State has neglected its obligation to settle an international dispute by peaceful means and thereafter has illegally used force to occupy the territory of another State, the claims that the victim State is under an obligation to respect the principle of the non-use of force vis-à-vis the aggressor State are redundant. Needless to say, if sustained, such claims would inevitably play into the hands of the aggressor, tend to entrench positions of control achieved as a result of the illegal use of force, reinforce the perceptions of the centrality of military strength in international relations and encourage impunity rather than contribute to the triumph of justice.

The principle of the non-use of force, which has been flagrantly violated by Armenia, must be put into effect by the complete withdrawal of Armenian armed forces from the Nagorno Karabakh region and other occupied territories of Azerbaijan, the restoration of Azerbaijani sovereignty and territorial integrity within its internationally recognized borders, and the reaffirmation of this principle in inter-State relations between Armenia and Azerbaijan in the framework of a settlement of the conflict. It is also essential to reiterate that Armenia is obliged under international law and relevant Security Council resolutions to put an end to its illegal occupation of the territories of Azerbaijan; consequently, the implementation of that obligation can in no way be introduced as a compromise and used as a bargaining element in the conflict settlement process.

Instead of spreading rumours and speculation about the actions of Azerbaijani armed forces, I would invite the Permanent Representative of Armenia to look into the cases of bloody incidents between Armenian militaries drafted into the armed forces of Armenia and assigned to serve in the occupied territories of Azerbaijan. Even Armenian human rights organizations have publicly acknowledged that, during the period of ceasefire, in effect since 1994, more than 1,500 Armenian soldiers have died as a result of non-combat violence. Whatever the causes of open confrontation and hostilities within the armed forces of Armenia, which reportedly have even nationally or ethnically motivated reasons, they testify unambiguously to the illegal military presence of Armenia in, and its effective control of, the occupied territories of Azerbaijan. At the same time, these incidents are yet another striking example of the lack of command and discipline within the armed forces of Armenia deployed in the occupied territories of Azerbaijan and their obvious demoralized and disorganized condition.

Moreover, by claiming through its unconvincing attempts the importance of the proposals for the withdrawal of snipers from the line of contact and the creation of an investigative mechanism on ceasefire violations, Armenian propaganda falls into its usual state of forgetfulness. The Permanent Representative of Armenia should be reminded of his country's non-compliance with relevant resolutions of the Security Council and General Assembly, which, inter alia, demanded the immediate, complete and unconditional withdrawal of all Armenian forces from all the occupied territories of Azerbaijan, and with the numerous documents and decisions of other international organizations calling for an end to the occupation of Azerbaijani lands. In addition to the denial of the right of more than 1 million Azerbaijani refugees and internally displaced persons to return to their homes and the deliberate efforts made to alter the demographic balance and erase all signs of Azerbaijani cultural and historical presence in the occupied territories, the speculations of the Armenian side on confidence-building are totally misleading and false, as it persistently opposes direct contact between the Azerbaijani and Armenian communities of the Nagorno Karabakh region of the Republic of Azerbaijan. Such actions by Armenia, combined with the odious ideas of the leadership of Armenia of racial superiority and hatred towards Azerbaijan, can hardly contribute to confidence-building.

The Republic of Azerbaijan has no doubt that an international law-based settlement of the conflict would provide for the complete withdrawal of Armenian armed forces from all occupied territories of Azerbaijan, the restoration of the sovereignty and territorial integrity of Azerbaijan, the return of forcibly displaced persons to their places of origin and the peaceful coexistence of Armenian and Azerbaijani communities in the Nagorno Karabakh region of the Republic of Azerbaijan.

I would be highly appreciative if you could kindly circulate my letter as a document of the twenty-fifth session of the Human Rights Council under agenda item 4.

(*Signed*) Murad N. Najafbayli
Ambassador, Permanent Representative